

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Tennessee

United States of America)

v.)

BRIAN SUMMERSON)

Case No. 20-20023-JTF/tmp

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 28, 2020 in the county of Shelby in the
Western District of Tennessee, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1201

Kidnaping

18 U.S.C. § 875(a)

Transmit through interstate/foreign commerce ransom demand person

This criminal complaint is based on these facts:

See Affidavit of FBI SA Charles Irvin, attached hereto and incorporated by reference as it set forth fully herein.

☒ Continued on the attached sheet.



Complainant's signature

Charles Irvin, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

January 30, 2020

DIANE K. VESCOVO

Judge's signature

City and state:

Memphis, TN

Diane K. Vescovo, U.S. Chief Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Charles R. Irvin, being duly sworn on oath, depose and state that I have been employed as a special agent (SA), with the Federal Bureau of Investigation since March 5, 2017 and am currently assigned to the Memphis Division of the Federal Bureau of Investigation.

AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since March 5, 2017. Prior to working for the FBI, I was a police officer for the Richmond, Indiana Police Department (RIPD) from April 2012 until February 2017. During my time with the RIPD, I attended a training on Gangs, Drugs and Gang Violence. Prior to joining the RIPD, I was a patrol officer with the Evansville, Indiana Police Department for approximately 5.5 years. Prior to that, I was patrol officer with the Chandler, Indiana Police Department for 1 year. I began my law enforcement career as a part-time patrol officer for the Indiana University Police Department. Upon hiring, I completed the Indiana University Law Enforcement Academy, which is 16 weeks and is an accredited law enforcement academy recognized by the state of Indiana.

2. During my career, I have participated in numerous violent crime investigations. During these investigations, I have conducted and/or participated in the following: physical surveillance, victim and suspect interviews, the execution of search warrants, debriefing and tasking of informants, and reviews of surveillance videos. In addition, through my training, education, experience, I have become familiar with the manner in which bank robberies, business robberies and other violent crimes are typically conducted.

3. I am an investigative or law enforcement officer of the United States within meaning of section 2510(7) Title 18, United States Code, and am empowered by law to conduct investigations and make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, law enforcement officials and witnesses. This affidavit is intended to show merely that there

is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 18 U.S.C. §§ 875(a), 1201.

STATEMENT OF PROBABLE CAUSE

4. The United States, including the FBI, is conducting a criminal investigation of Brian Summerson, for violations of Title 18 U.S.C. §§ 875(a), 1201.

5. On January 28, 2020, Victoria Floyd contacted the Federal Bureau of Investigation, Memphis Field Division, in reference to information in reference to an alleged kidnapping of Victoria's daughter, Skyla Floyd. According to Victoria, Skyla had left Memphis, Tennessee approximately two months prior with a Mario Webb, to live in Savannah, Georgia.

6. On January 28, 2020, at approximately 0030 hours, Victoria received a video call from Skyla. Skyla advised she had been kidnapped by an unknown male ("subject"). Skyla told Victoria she had been assaulted by the subject and Victoria observed physical injuries to the face of Skyla. Skyla further stated Webb owed money to the subject and subject knew she and Webb had a relationship. Due to that relationship, the subject was demanding money from Victoria to release Skyla, and if the subject did not receive the money, he would kill Skyla.

7. At approximately 0230 hours, a Facebook account titled Mario Webb called Victoria, demanding \$2,000 US dollars be deposited onto Cash App \$leemoney123456 as ransom payment.

8. Victoria was moved into a conference room at the FBI-Memphis and interviewed by agents. While being interviewed, Victoria received another call from the Facebook Account titled Mario Webb. The conversation continued in which the subject was demanding money for the release of Skyla.

9. While Victoria was at the Federal Bureau of Investigation in Memphis, she received several Facebook Messenger phone calls from the Mario Webb Facebook Page. The phone calls were recorded via audio. During the series of communications between the subject and Victoria, the subject made known that

subject had physical custody of Skyla, and would not let Skyla leave until Victoria paid a sum of money to subject via "Cash App" with the account "\$leemoney123456."

10. Subject informed Victoria, Skyla was being held to ensure Skyla's boyfriend, Mario [Mario Webb] repaid the \$5,000 Mario owed to subject's boss. Subject's boss was looking for Mario for the past two years and finally found Mario and subject was going to find associates of Mario, and eventually "kin" of Mario to hold captive until Mario paid the money to teach Mario a lesson.

11. Facebook was contacted to request subscriber information from Facebook in reference to the Mario Webb Facebook account. The subscriber information return showed the account had a listed phone number of 901-652-2079. The listed phone number was identified as Skyla Floyds phone number. T-Mobile was contacted in reference to 901-652-2079 and was advised the cell phone was turned off so location could not be determined.

12. Subject informed Victoria once the money was received, subject would drop Skyla off at the bus station.

13. Victoria attempted to acquire the ransom money but was unsuccessful in acquiring \$1,000, but Victoria previously told subject she had the money. Victoria sent \$100 to subject's Cash App account. When subject found out Victoria did not have the money, subject stated, "You lied to me three times. If you lie again, there will be consequences," and "please do not lie to me again." Victoria asked subject something to the effect of, "how much more money do I need to send for you to let my daughter out of your truck?" subject replied, "\$900. If you lie to me again, it goes up to \$2,000.

14. Victoria previously saw a video image of Skyla, in which it appeared Skyla had bleeding, swelling, and bruising in the facial area from being struck. Victoria made a statement to the effect of, "I'll get you the money, just please don't hit my daughter again." Subject made a comment to the effect of, "that was just a love tap."

15. Subject sent a text via the Facebook messenger app to Victoria to the effect of, "Oh my God. You lied and played me three times; I'm done talking." Then sent a message a short time later to the effect of "I gave you enough time. Times up."

16. Subject gave a deadline of 7:19 p.m. CST for Victoria to come up with the money and instructed Victoria not to call unless, Victoria had the money to send to subject. If Victoria could not come up with the money, subject would turn Skylar over to other individuals to whom Mario owed the money. No further contact was made with the subject, nor Skylar.

17. Cash App was contacted to obtain the subscriber information for \$leemoney123456. Cash App advised that phone number 910-359-2720 was linked to the account. Further review of phone number 910-359-2720 revealed that it was a Google Voice Number. Additional subscriber information from Cash App included the following: phone number: 843-901-7870; email: brian.summerson@gmail.com; date of birth: 1-19-1995, and; address: 1408 Sandbar Ct., Dillon, SC 29536.

18. Google was contacted in reference to phone number 910-359-2720. Google subscriber information revealed a phone number 843-472-1712 with the name of Tyvon Lee.

19. AT&T was contacted and pings were conducted on telephone number 843-472-1712. AT&T pings advised the phone was located in Florence, South Carolina.

20. Mario Webb was interviewed by Federal Bureau of Investigation Agents in Savannah, Georgia. Webb provided information that Skylar had been picked up in a black semi-truck with a white trailer the night she was kidnapped.

21. Open source searches of Summerson revealed a photograph of a black semi-truck with the logo Summerson Transport, Dillon, South Carolina on the door, and US DOT 3091875 on the side of the cab. Contact was made with Task Force Officer Michael Bolton of the Tennessee Highway Patrol who advised US DOT number 3091875 had an inspection report from the Maryland Motor Carrier Safety Program and the listed driver of the truck was Brian T Summerson (01-19-1995). The semi was registered in New Jersey with tag number AW221H.

22. Contact was made with authorities in Florence, South Carolina to be on the look out for the black semi with plate number AW221H. Florence County Sheriff's Office contacted agents in Memphis advising they had found the semi in a business parking lot. The semi was running with curtains blocking the windows so they were unable to see inside. Agents requested that the Sheriff's Office make contact


with the occupants to check on their welfare. Deputies made contact with the driver, identified as Brian Summerson, and asked if he would step out of the vehicle. Summerson stepped out to speak with deputies, at which time a female screamed from inside the semi that she had been kidnapped.

23. After a scuffle with deputies, Brian Summerson was taken into custody. The female was identified as Skyla Floyd. Skyla had injuries to her face and was transported to the hospital for evaluation.

CONCLUSION

Based on my investigation, I believe that there is probable cause to believe that violated the crimes as set forth in this criminal complaint and respectfully request that the Court issue an arrest warrant.

Respectfully Submitted,



Charles R. Irvin
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on the 30, January 2020.

DIANE K. VESCOVO

HONORABLE DIANE K. VESCOVO
UNITED STATES CHIEF MAGISTRATE JUDGE
WESTERN DISTRICT OF TENNESSEE